

# KLARAS

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July 3, 2002

Mr. Felix Lasarte, Esq.  
Akerman Senterfitt  
Attorneys at Law  
Suntrust International Center  
One Southeast Third Avenue, 28<sup>th</sup> Floor  
Miami, FL 33131-1714

**RE:** Miami-Dade Board of County Commissioners hearing on July 11, 2002 pertaining to Corum Homes, LLC, and the proposed development of a 73.63 acre site at the northeast corner of THERORETICAL NW 97<sup>th</sup> Avenue and THEORETICAL NW 140<sup>th</sup> Street, in Unincorporated Miami-Dade County, FL.

Dear Mr. Lasarte:

Please be advised that at the request of Mr. Rafael Reyes of Corum Homes, LLC, I have completed a migration and market trend study, which has proved conclusively, that there is a supportable need within the subject marketplace, for the type of residential housing development that is proposed by Mr. Reyes, and is at the core of this study.

I will be testifying on July 11, 2002, in front of the Miami-Dade Board of County Commissioners, as to the following major points pertaining to the subject's development:

- There is clear and supportable evidence, that an ongoing trend is currently taking place with regard to the migration of certain sectors of the general population, primarily young professionals, to the more northerly parts of Miami-Dade County, from the more urban, densely overcrowded, regions of Miami-Dade County, that lie to the South and Southeast of the subject development.
- From a human behavioral point of view, this trend is taking place in part because young professionals and their families are seeking what they view to be a better lifestyle in more suburban areas, away from urban stress factors, in which to live and raise their families.
- The aforementioned trend of migration from south to north, is an occurrence that is taking place, based in part, on the historical development trends of South Florida, namely that development has taken place from Miami to points north, primarily and initially, along the eastern corridor and now, based on supply and demand factors, is spreading west. This movement of the population from south Miami-Dade County to points north within the County, has not only taken place within Miami-Dade, but is also occurring in the other counties of southeast Florida, namely, Broward and Palm Beach County.

Page 2

July 3, 2002

Mr. Felix Lasarte, Esq.

- The subject site is presenting zoned as an "interim use". By definition, an "interim use" is a temporary use of land, until it can be put to a "higher and better" use, or its "highest and best" use at the time of proposed development. The change in zoning from the "interim use" of GU, to PAD, Planned Area Development District, as is the case with the subject, is fitting based on the uses in the surrounding areas and supply and demand factors that exist within the subject marketplace.
- By reference to material provided for my analysis, the subject development meets concurrency requirements in areas such as potable water supply, wastewater disposal and flood protection, and thereby has been approved as to these items. These factors strongly support the development of the subject property. Additionally, the Public Works Department has found the site plan acceptable and the Department of Planning and Zoning has recommended approval of the proposed zoning change from GU to PAD.
- The Miami-Dade Metropolitan Planning Organization has published data on no less than six proposed infrastructure developments and expansions that are to take place between now and the year 2007. These improvements range from the widening of several major roadways in the area to the installation of drainage improvements. These findings are very favorable and are supportive of development such as the subject.

In summary conclusion, there exists strong multi-faceted evidence that supports the need for the development of the subject property or one similar to it, in the proposed location and marketplace. It is evident that the project as of the date of the writing, meets all, or the majority of all the requirements for project approval.

It is my professional opinion and position, that the proposed development of the subject 73.63 acre site, by Corum Homes, LLC, is viable, supportable and will satisfy the housing needs, wants and desires, of the shelter seeking population. Primarily but not limited to, those families and individuals seeking to move from points south and southeast of the subject, to a more suburban setting in which to live and raise their families.

The complete findings of my study will be made available to the Board of Commissioner on the July 11, 2002, the date of the hearing.

Please do not hesitate to contact me with any questions you may have.

Sincerely,

**John H. Ackermann**

John H. Ackermann, CCIM  
Senior Vice President  
KLARAS Financial Solutions

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# AKERMAN SENTERFITT

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Leila M. Jackson Batties  
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RECEIVED  
MAY 17 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY \_\_\_\_\_

May 18, 2002

VIA HAND DELIVERY

Ms. Diane O'Quinn Williams  
Director  
Miami-Dade County  
Department of Planning and Zoning  
111 N.W. First Street, 11<sup>th</sup> Floor  
Miami, Florida 33128

RECEIVED  
MAY 23 2002

ZONING HEARING SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY \_\_\_\_\_

RECEIVED  
MAY 24 2002

ZONING HEARING SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY \_\_\_\_\_

Re: Corum Homes, LLC f/k/a Petrvs Holdings (Public Hearing 02-34 f/k/a 01-259)  
Expert Testimony

Dear Ms. O'Quinn Williams:

Pursuant to Sec. 33-311(D) of the Miami-Dade County Code, we respectfully advise you that the following experts may be called to testify on behalf of Corum Homes, LLC, in connection with the above-referenced zoning application, before Community Zoning Appeals Board 5, on May 30, 2002:

Mr. Richard Eichenger, Mr. Hank Fendrei  
Transport Analysis Professionals, Inc.  
8701 S.W. 13<sup>th</sup> Avenue, Suite 210  
Miami, Florida 33183

Ms. Katherine Wilbur  
Ms. Tabitha Fazino  
Creative Land Development Services, Inc.  
2125 Biscayne Blvd., Suite 210  
Miami, FL 33137

Mr. Eichenger and/or Mr. Fendrei may testify as to the application's traffic impacts on the surrounding public roadways. Ms. Wilbur and Ms. Fazino may testify as to school capacities in the surrounding area and the impact that the proposed residential development may have on the school system.

{MI778304;2}

AKERMAN, SENTERFITT & EIDSON, P.A.

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Please note that we had submitted an expert witness notification letter for the April 18, 2002 hearing (attached as exhibit "A"). Thank you for your considerate attention to this matter. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leila M. Jackson Batties', written over a horizontal line.

Leila M. Jackson Batties

cc: Mr. Raphael Reyes  
Mr. Daniel Miranda  
Mr. Richard Eichenger  
Ms. Katherine Wilbur  
Ms. Tabitha Fazino  
Felix M. Lasarte, Esq.

RECEIVED  
APR 02 2002

AKERMAN SENTERFITT  
ATTORNEYS AT LAW

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

*Leila M. Jackson Batties*

Leila M. Jackson Batties  
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E-Mail: lbatties@akerman.com

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April 2, 2002

VIA HAND DELIVERY

Ms. Diane O'Quinn Williams  
Director  
Miami-Dade County  
Department of Planning and Zoning  
111 N.W. First Street, 11<sup>th</sup> Floor  
Miami, Florida 33128

Re: Corum Homes, LLC f/k/a Petrvs Holdings (Public Hearing 01-259)  
Expert Testimony

Dear Ms. O'Quinn Williams:

Pursuant to Sec. 33-311(D) of the Miami-Dade County Code, we respectfully advise you that the following experts may be called to testify on behalf of Corum Homes, LLC, in connection with the above-referenced zoning application, before Community Zoning Appeals Board 5, on April 18, 2002:

Mr. Richard Eichenger  
Transport Analysis Professionals, Inc.  
8701 S.W. 13<sup>th</sup> Avenue, Suite 210  
Miami, Florida 33183

Ms. Katherine Wilbur  
Ms. Tabitha Fazino  
Creative Land Development Services, Inc.  
2125 Biscayne Blvd., Suite 210  
Miami, FL 33137

Mr. Eichenger may testify as to the application's traffic impacts on the surrounding public roadways. Ms. Wilbur and Ms. Fazino may testify as to school capacities in the surrounding area and the impact that the proposed residential development may have on the school system.

{MI778304;1}

AKERMAN, SENTERFITT & EIDSON, P.A.

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Thank you for your considerate attention to this matter. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Leila M. Jackson Batties

cc: Mr. Raphael Reyes  
Mr. Daniel Miranda  
Mr. Richard Eichenger  
Ms. Katherine Wilbur  
Ms. Tabitha Fazino  
Felix M. Lasarte, Esq.

*FRED*

**AKERMAN SENTERFITT**

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March 28, 2002

**VIA HAND DELIVERY**

Ms. Diane O'Quinn Williams  
Director  
Miami-Dade County  
Department of Planning & Zoning  
111 NW First Street, 11th Floor  
Miami, FL 33128

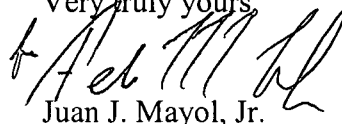
**Re: Corum Homes, LLC (P.H. 02-034) / Fourth Amended Letter of Intent /  
Withdrawing Request # 4 for a Non-Use Variance**

Dear Ms. O'Quinn Williams:

This shall constitute the fourth amended letter of intent on behalf of Corum Homes, LLC, a Florida limited liability company, in connection with the above-referenced application. The Applicant seeks to amend its application to withdraw request #4 asking for a non-use variance requiring section line roads to be 80 feet in width; as it applies to NW 97th avenue.

As shown on the site plan, the applicant will comply with the right-of-way standards set forth by Miami-Dade County and will not need the non-use variance request. As always, please do not hesitate to contact my associate, Leila Batties, or me if you have any questions or concerns. Thank you for your considerate attention to this matter.

Very truly yours



Juan J. Mayol, Jr.

cc: Developmental Impact Committee  
Mr. Alejandro Capo  
Mr. Daniel Miranda  
Mr. Rafael Reyes

{MI775771;1}

AKERMAN, SENTERFITT & EIDSON, P.A.

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February 25, 2002

**VIA HAND DELIVERY**

Ms. Diane O'Quinn Williams  
Director  
Miami-Dade County  
Department of Planning & Zoning  
111 NW First Street, 11th Floor  
Miami, FL 33128

**Re: Petrvs Holdings, Inc., et al. Change of Ownership to Corum Homes, LLC and  
Third Amended Letter of Intent(P.H. 02-034 f/k/a 01-259)**

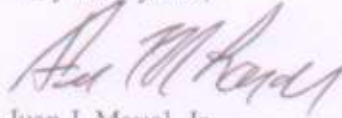
Dear Ms. O'Quinn Williams:

Please be advised that there has been a change of ownership for the above referenced application (the "Application"). The Application was submitted under the following names: Petrvs Holdings, Inc., MCD Properties, Inc., and Fantasy Cove Realty, Corporation. The Property ownership has been transferred and the name of the new owner is **Corum Homes, LLC**. Please update your records to reflect the change of ownership. We are enclosing for your review a new Ownership Affidavit for Corporation, Owner Tenant Affidavit and a Disclosure of Interest for Corum Homes, LLC.

We are also submitting revised plans, which incorporate the comments, which we received at the DIC Lower Council meeting of February 6, 2002. The revised plans have reduced the number of units from 843 to 837. The gross density will be 11.36 units per acre, which is within the density allowed in the Low Medium Density land use classification, which allows between 5 to 13 dwelling units per acre.

As a result of the changes to the plans, we are withdrawing our request for a non-use variance for the private open space. The current plans provide more private open space than, that which is required by the Miami-Dade County Code. If you have any questions please do not hesitate to call my associate, Leila Batties or me. Thank you for your attention to this matter.

Very truly yours,



Juan J. Mayol, Jr.

Enclosure(s)

cc: Ms. Ruth Ellis Myers  
Mr. Alejandro Capo  
Mr. Daniel Miranda  
Mr. Rafael Reyes

(M1758452;1)

AKERMAN, SENTERFITT & EIDSON, P.A.

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## VIA HAND DELIVERY

Ms. Diane O'Quinn Williams  
Director  
Miami-Dade County  
Department of Planning & Zoning  
111 NW First Street, 11th Floor  
Miami, FL 33128

RECEIVED  
JAN 16 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

**Re: Petrus Holdings, Inc., et al. (P.H. 01-259) / Second Amended Letter of Intent / Non-Use Variance for Common and Open Space Requirements**

Dear Ms. O'Quinn Williams:

This shall constitute the second amended letter of intent on behalf of Petrus Holdings, Inc., MCD Properties, Inc., and Fantasy Cove Realty, Corp. (the "Applicants"), in connection with the above-referenced application. We are submitting a revised set of plans including, a site plan, elevation plan and landscape plans. The plans have been revised to address staff's comments from the pre-application meeting.

The Applicants are also amending their application to request the following non-use variances:

- a. Reducing the Category (1) Common Open Space from the required 43.31 acres to 19.79 acres.
- b. Reducing the Private Open Space from the required 14.41 acre to 4.31 acres.

The proposed residential community would include eight hundred and forty three (843) dwelling units, which constitutes a proposed gross density of 11.44 units per acre. The original application proposed the development of nine hundred and twenty four (924) dwelling units. The community would contain three (3) housing types: flat over flat, villas with a yard in the back, and villas with a yard in the front. There will be seven (7) unit models and fourteen (14) building types.

MI748149:1

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Ms. Diane O'Quinn Williams  
January 16, 2002  
Page 2


A homeowners' association will be established for the maintenance of the common areas within the development.

The design of the community incorporates the elements of the Department's urban design guidelines. A clubhouse, tot lot, and pool will be located at the center of the community. There are numerous plazas, fountains, and lakes throughout the community, which serve as common open space and focal points. Finally, the entrance of the community, along with the various focal points, are designed to give an individual identity to the community.

The proposed development is consistent with the Comprehensive Development Master Plan. As you recall, the Board of County Commissioners recently approved a settlement agreement whereby the land use designation for the Property was amended from Industrial and Office to Low-Medium Density Residential (5 to 13 du/acre) on the CDMP Land Use Plan Map. Finally, the Property is bounded on the east by I-75 and a landfill on the north. As such, the proposed community would not have any adverse impacts on the surrounding area.

In light of the foregoing, the Applicants respectfully request the Department's favorable consideration of the application. As always, please do not hesitate to contact my associate, Leila Batties, or me if you have any questions or concerns. Thank you for your considerate attention to this matter.

Very truly yours,



Juan J. Mayol, Jr.

Enclosure(s)

cc: Ms. Ruth Ellis Myers  
Mr. Alejandro Capo  
Mr. Daniel Miranda  
Mr. Rafael Reyes

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August 15, 2001

**VIA HAND DELIVERY**

Ms. Diane O'Quinn Williams  
Director  
Miami-Dade County  
Department of Planning & Zoning  
111 NW First Street, 11th Floor  
Miami, FL 33128

**RECEIVED**  
AUG 16 2001

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY FIS

**Re: Petrvs Holdings, Inc., et al. (P.H. 01-259) / First Amended Letter of Intent / Request for DBC from GU to PAD**

Dear Ms. O'Quinn Williams:

This shall constitute the first amended letter of intent on behalf of Petrvs Holdings, Inc., MCD Properties, Inc., and Fantasy Cove Realty, Corp. (the "Applicants"), in connection with the above-referenced application. The Applicants seek to amend their application from a request for a district boundary change from GU to RU-3M, to a request for a district boundary change from GU to PAD. The district boundary change is requested in order to permit a residential community on 72.03± gross acres located on the east side of NW 97 Avenue, south of NW 146 Street, and west of I-75 in Section 21, Township 52, Range 40, in the northwest area of unincorporated Miami-Dade County (the "Property").

The proposed residential community would include nine hundred twenty four (924) dwelling units, which constitutes a proposed gross density of 12.83 units per acre. The community would contain three (3) housing types: flat over flat, villas with a yard in the back, and villas with a yard in the front. There will be seven (7) unit models and fourteen (14) building types. A homeowners' association will be established for the maintenance of the common areas within the development.

MI693492;1

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Ms. Diane O'Quinn Williams  
August 15, 2001  
Page 2

The design of the community incorporates the elements of the Department's urban design guidelines. A clubhouse, tot lot, and pool will be located at the center of the community. There are numerous plazas, fountains, and lakes throughout the community, which serve as common open space and focal points. Finally, the entrance of the community, along with the various focal points, are designed to give an individual identity to the community.

The proposed development is consistent with the Comprehensive Development Master Plan. As you recall, the Board of County Commissioners recently approved a settlement agreement whereby the land use designation for the Property was amended from Industrial and Office to Low-Medium Density Residential (5 to 13 du/acre) on the CDMP Land Use Plan Map. Finally, the Property is bounded on the east by I-75 and a landfill on the north. As such, the proposed community would not have any adverse impacts on the surrounding area.

In light of the foregoing, the Applicants respectfully request the Department's favorable consideration of the application. As always, please do not hesitate to contact my associate, Leila Batties, or me if you have any questions or concerns. Thank you for your considerate attention to this matter.

Very truly yours,

*Leila Batties*

*for*

Juan J. Mayol, Jr.

Enclosure(s)

cc: Developmental Impact Committee  
Mr. Alejandro Capo  
Mr. Daniel Miranda  
Mr. Rafael Reyes

# AKERMAN SENTERFITT

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July 6, 2001

## VIA HAND DELIVERY

Ms. Diane O'Quinn Williams  
Director  
Miami-Dade County  
Department of Planning & Zoning  
111 NW First Street, 11th Floor  
Miami, FL 33128

**RECEIVED**  
201-259  
JUL - 6 2001

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY LS

**Re: Petrvs Holdings, Inc. / Letter of Intent**

Dear Ms. O'Quinn Williams:

This shall constitute the letter of intent on behalf of Petrvs Holdings, Inc., MCD Properties, Inc., and Fantasy Cove Realty, Corp. (the "Applicants"), in support of their request for a district boundary change from **GU to RU-3M** and other ancillary zoning approvals in order to permit a residential community on **72.03± gross** acres located on the east side of NW 97 Avenue, south of NW 146 Street, and west of I-75 in Section 21, Township 52, Range 40, in the northwest area of unincorporated Miami-Dade County (the "Property").

The proposed residential community would include **nine hundred twenty four (924) dwelling** units, which constitutes a proposed gross density of 12.83 units per acre. The community would contain three (3) housing types: flat over flat, villas with a yard in the back, and villas with a yard in the front. There will be seven (7) unit models and fourteen (14) building types. A homeowners' association will be established for the maintenance of the common areas within the development.

The design of the community incorporates the elements of the Department's urban design guidelines. A clubhouse, tot lot, and pool will be located at the center of the community. There are numerous plazas, fountains, and lakes throughout the community, which serve as common open

ML676101.1

AKERMAN, SENTERFITT & EIDSON, P.A.

FORT LAUDERDALE • JACKSONVILLE • ORLANDO • TALLAHASSEE • TAMPA • WEST PALM BEACH

Ms. Diane O'Quinn Williams  
July 6, 2001  
Page 2

space and focal points. Finally, the entrance of the community, along with the various focal points, are designed to give an individual identity to the community.

The proposed development is consistent with the Comprehensive Development Master Plan. As you recall, the Board of County Commissioners recently approved a settlement agreement whereby the land use designation for the Property was amended from Industrial and Office to Low-Medium Density Residential (5 to 13 du/acre) on the CDMP Land Use Plan Map. Finally, the Property is bounded on the east by I-75 and a landfill on the north. As such, the proposed community would not have any adverse impacts on the surrounding area.

In light of the foregoing, the Applicants respectfully request the Department's favorable consideration of the application. As always, please do not hesitate to contact my associate, Leila Batties, or me if you have any questions or concerns. Thank you for your considerate attention to this matter.

Very truly yours,

*Leila Batties*

*for*

Leila M. Jackson Batties

LMJB

Enclosure(s)

cc: Mr. Alejandro Capo  
Mr. Daniel Miranda  
Mr. Rafael Reyes